

# HOUSE JOURNAL

## ALASKA STATE LEGISLATURE

### TWENTY-FOURTH LEGISLATURE - SECOND SESSION

Juneau, Alaska

Wednesday

March 15, 2006

#### Sixty-sixth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:06 a.m.

Roll call showed 36 members present. Representative Salmon had been previously excused from a call of the House today.

Representative Coghill moved and asked unanimous consent that Representative Wilson be excused from a call of the House today. There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Anderson - from today to March 19, 2006

Representative McGuire - from today to March 19, 2006

The invocation was offered by the Chaplain, Pastor Tom Matthews of Douglas Island Bible Church. Representative Coghill moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

Again, respecting the various beliefs represented here today, I would ask you to please join me in prayer.

Dear Lord,

Thank You that we can lift this prayer before You today.  
Thank You that You even care enough about us to hear our

prayers. We know we can do nothing to earn Your love, but that it is only possible through Your Son, Jesus Christ.

Lord, we pray today for Your Representatives of the House of the State of Alaska. I pray that You would help them to be men and women of integrity, committed to the task You have given them. At times I am sure that is a difficult process. There are no doubt temptations that arise, things that are not easy to decide. But I know Lord, with Your help, that they can remain true to the task You have given them.

Proverbs 3:5-6 tells us to trust in You with all our heart and not to lean on our own understanding, that in all our ways we need to acknowledge You, and then You will direct our paths. I pray for that direction today. Help our leaders to truly trust in You for direction.

Lord, I have also been reminded this morning of the lost fishermen from Juneau and Sitka. I cannot imagine the pain and the hurt the families are going through right now - the questions. Lord, we pray that You would give them the peace that passes all understanding; that You would bring people alongside them to comfort them, to help them through these difficult days. Thank You that we can lift these prayers before You and I do that in the name of Your Son, Jesus Christ. Amen.

The Pledge of Allegiance was led by Representative Meyer.

#### **CERTIFICATION OF THE JOURNAL**

Representative Coghill moved and asked unanimous consent that the journal for the 64th and 65th legislative days be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

\* \* \* \* \*

Representative Thomas introduced Creighton Boyd, Guest Page, from Metlakatla.

Representative Seaton introduced Amy Collman, Guest Page, from Seward.

Representative Kerttula introduced Lydia Kline, Guest Page, from Juneau.

Representative Coghill introduced Brianna Presley, Guest Page, from Eielson Air Force Base.

### RECONSIDERATION

#### **HB 300**

The Speaker stated that, without objection, reconsideration of the following, which had been held to today (page 2758), be held to March 20, 2006:

CS FOR HOUSE BILL NO. 300(O&G)(fld H)

"An Act relating to the qualifications of the member of the Alaska Oil and Gas Conservation Commission who need not be certified, trained, or experienced in either the field of petroleum engineering or the field of petroleum geology."

### COMMUNICATIONS

The following was received and referred to the Finance Committee:

Dept. of Administration  
Office of the Commissioner  
Amended Monetary Terms of Agreement  
Between the State and the Alaska  
Correctional Officers Association (page 2752)  
March 13, 2006  
(as required by AS 23.40.215)

**REPORTS OF STANDING COMMITTEES****HB 273**

The Rules Committee has considered:

## HOUSE BILL NO. 273

"An Act relating to the dividends of individuals claiming allowable absences; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 273(RLS)

"An Act relating to the dividends of certain individuals claiming allowable absences; and providing for an effective date."

The report was signed by Representative Rokeberg, Chair, with the following individual recommendations:

Do pass (1): Kohring

No recommendation (3): Coghill, Harris, Rokeberg

Amend (2): Berkowitz, Guttenberg

The following fiscal note(s) apply to CSHB 273(RLS):

2. Fiscal, Dept. of Revenue

HB 273 was returned to the Rules Committee for placement on the calendar.

**HB 312**

The Health, Education & Social Services Committee submitted the following report to correct the report submitted on February 24, 2006 (page 2622):

## HOUSE BILL NO. 312

"An Act relating to pregnant women; requiring hospitals, schools, and alcohol licensees and permittees to distribute information about fetal alcohol effects and fetal alcohol syndrome; relating to

the consumption of alcoholic beverages by and the sale or service of alcoholic beverages to a pregnant woman; requiring involuntary commitment of a pregnant woman who has consumed alcohol; creating a fund for the prevention and treatment of fetal alcohol syndrome and fetal alcohol effects; relating to fines and to the taking of permanent fund dividends for selling or serving alcoholic beverages to pregnant women; and increasing taxes on sales of alcoholic beverages to fund treatment and education related to fetal alcohol syndrome and fetal alcohol effects."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 312(HES)

"An Act relating to pregnant women; relating to training in fetal alcohol spectrum disorders for and to requiring certain documentation by licensed physicians, physician assistants, and nurses; requiring the Department of Health and Social Services to prepare information for distribution by hospitals, schools, service providers, and alcohol licensees and permittees about fetal alcohol spectrum disorders; clarifying that fetal alcohol spectrum disorders is a condition of public health importance; and establishing a diagnosis and treatment program, including contraceptives, for persons with a fetal alcohol spectrum disorder or alcohol dependency."

The report was signed by Representative Wilson, Chair, with the following individual recommendations:

Do pass (4): Seaton, Gatto, Gardner, Wilson

The following fiscal note(s) apply to CSHB 312(HES):

1. Indeterminate, Dept. of Public Safety
2. Fiscal, Dept. of Law
3. Fiscal, Dept. of Health & Social Services
4. Fiscal, Dept. of Health & Social Services

HB 312 is in the Finance Committee.

**HB 409**

The Finance Committee has considered:

HOUSE BILL NO. 409

"An Act relating to excluding qualified real estate licensees from workers' compensation coverage."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 409(L&C)

(same title)

The report was signed by Representative Meyer, Co-chair, with the following individual recommendations:

Do pass (2): Foster, Meyer

No recommendation (6): Stoltze, Kerttula, Joule, Holm, Weyhrauch, Moses

The following fiscal note(s) apply to CSHB 409(L&C):

1. Zero, Dept. of Commerce, Community, & Economic Development
2. Zero, Dept. of Labor & Workforce Development

HB 409 was referred to the Rules Committee for placement on the calendar.

**HB 434**

The Transportation Committee has considered:

HOUSE BILL NO. 434

"An Act authorizing the commissioner of transportation and public facilities to participate in certain federal highway programs and relating to that authorization; relating to powers of the attorney general to waive immunity from suit in federal court related to those programs; and providing for an effective date."

The report was signed by Representatives Gatto and Elkins, Co-chairs, with the following individual recommendations:

Do pass (4): Kohring, Neuman, Gatto, Elkins

No recommendation (2): Kapsner, Thomas

The following fiscal note(s) apply:

1. Zero, Dept. of Environmental Conservation
2. Fiscal, Dept. of Transportation & Public Facilities

HB 434 was referred to the Judiciary Committee.

**HB 448**

The State Affairs Committee has considered:

HOUSE BILL NO. 448

"An Act relating to special license plates for the Free and Accepted Masons."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 448(STA)

"An Act relating to special license plates for the Free and Accepted Masons and the Knights of Columbus."

The report was signed by Representative Seaton, Chair, with the following individual recommendations:

Do pass (6): Gardner, Lynn, Gatto, Elkins, Ramras, Seaton

No recommendation (1): Gruenberg

The following fiscal note(s) apply to CSHB 448(STA):

1. Zero, Dept. of Administration

HB 448 was referred to the Finance Committee.

**HB 471**

The Finance Committee has considered:

## HOUSE BILL NO. 471

"An Act amending the Knik Arm Bridge and Toll Authority Act and the powers and authority of the authority, and making conforming changes to statutes relating to issuance, renewal, or reinstatement of driver's licenses and to levy on permanent fund dividends; and providing for an effective date."

and recommends it be replaced with:

## CS FOR HOUSE BILL NO. 471(FIN)

"An Act amending the Knik Arm Bridge and Toll Authority Act and the powers and authority of the authority to finance construction and maintenance of the Knik Arm Bridge, to set and collect tolls, and to carry out its duties, and making conforming changes to statutes relating to issuance, renewal, or reinstatement of driver's licenses and to levy on permanent fund dividends; and providing for an effective date."

The report was signed by Representative Meyer, Co-chair, with the following individual recommendations:

Do pass (2): Foster, Stoltze

No recommendation (5): Kerttula, Joule, Weyhrauch, Moses, Meyer

The following fiscal note(s) apply to CSHB 471(FIN):

1. Zero, Dept. of Natural Resources
2. Zero, Dept. of Transportation & Public Facilities

HB 471 was referred to the Rules Committee for placement on the calendar.

**HB 489**

The Rules Committee has considered:

## HOUSE BILL NO. 489

"An Act relating to the exemption of charity events from regulation by the Alaska Public Offices Commission and to the

treatment of charity events under the law governing legislative ethics; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 489(RLS)

"An Act relating to the treatment of charity events by the Alaska Public Offices Commission and under the law governing legislative ethics; and providing for an effective date."

The report was signed by Representative Rokeberg, Chair, with the following individual recommendations:

Do pass (4): Coghill, Harris, Kohring, Rokeberg

No recommendation (2): Berkowitz, Guttenberg

The following fiscal note(s) apply to CSHB 489(RLS):

1. Zero, Dept. of Administration
2. Zero, Legislative Agency

HB 489 is on today's calendar.

### **HB 491**

The Transportation Committee has considered:

HOUSE BILL NO. 491

"An Act authorizing the Alaska Railroad Corporation to issue revenue bonds to finance rail transportation projects that qualify for federal financial participation; and providing for an effective date."

The report was signed by Representatives Gatto and Elkins, Co-chairs, with the following individual recommendations:

Do pass (4): Thomas, Kohring, Gatto, Elkins

The following fiscal note(s) apply:

1. Zero, Dept. of Commerce, Community, & Economic Development

HB 491 was referred to the Finance Committee.

**SB 186**

The Rules Committee has considered:

CS FOR SENATE BILL NO. 186(JUD)

"An Act relating to the Alaska Executive Branch Ethics Act; and providing for an effective date."

and recommends it be replaced with:

HOUSE CS FOR CS FOR SENATE BILL NO. 186(RLS)

"An Act relating to the Alaska Executive Branch Ethics Act."

(technical title change)

The report was signed by Representative Rokeberg, Chair, with the following individual recommendations:

Do pass (1): Rokeberg

No recommendation (3): Coghill, Kohring, Harris

Amend (2): Berkowitz, Guttenberg

The following fiscal note(s) apply to HCS CSSB 186(RLS):

5. Zero, Dept. of Administration

6. Zero, Dept. of Law

CSSB 186(JUD) was returned to the Rules Committee for placement on the calendar.

**SB 253**

The Labor & Commerce Committee has considered:

**SENATE BILL NO. 253**

"An Act extending the termination date for the Board of Chiropractic Examiners; and providing for an effective date."

The report was signed by Representative Kott, Vice Chair, with the following individual recommendations:

Do pass (5): Crawford, Lynn, LeDoux, Rokeberg, Kott

The following fiscal note(s) apply:

1. Fiscal, Dept. of Commerce, Community, & Economic Development

SB 253 was referred to the Finance Committee.

**SB 254**

The Labor & Commerce Committee has considered:

**SENATE BILL NO. 254**

"An Act extending the termination date for the State Physical Therapy and Occupational Therapy Board; and providing for an effective date."

The report was signed by Representative Kott, Vice Chair, with the following individual recommendations:

Do pass (5): Crawford, Lynn, LeDoux, Rokeberg, Kott

The following fiscal note(s) apply:

1. Fiscal, Dept. of Commerce, Community, & Economic Development

SB 254 was referred to the Finance Committee.

**INTRODUCTION OF CITATIONS**

The following citations were introduced and referred to the Rules Committee for placement on the calendar:

Honoring - Michael Poppert  
By Representative Neuman

Honoring - Augie Hiebert  
By Representative Stoltze; Senator Huggins

Honoring - The South Anchorage High School Hockey Team  
By Representative Lynn

Honoring - Village Public Safety Officer Academy Graduates  
By Representative LeDoux; Senator Gary Stevens

Honoring - Teck Cominco, Pogo Mine's First Gold Bar  
By Representatives Berkowitz, Guttenberg

### **INTRODUCTION, FIRST READING, AND REFERENCE OF HOUSE BILLS**

#### **HB 492**

HOUSE BILL NO. 492 by the House Finance Committee by request,  
entitled:

"An Act relating to the transfer of the state's interest in certain gas to the Alaska Retirement Management Board for the purpose of satisfying the unfunded accrued actuarial liability of the state and employers of teachers in the state to state retirement systems; and providing for an effective date."

was read the first time and referred to the House Special Committee on Ways & Means and the Finance Committee.

### **CONSIDERATION OF THE DAILY CALENDAR**

#### **SECOND READING OF HOUSE BILLS**

#### **HB 489**

The following was read the second time:

## HOUSE BILL NO. 489

"An Act relating to the exemption of charity events from regulation by the Alaska Public Offices Commission and to the treatment of charity events under the law governing legislative ethics; and providing for an effective date."

with the:	Journal Page
RLS RPT CS(RLS) NT 4DP 2NR	2772
FN1: ZERO(ADM)	2773
FN2: ZERO(LEG)	2773

Representative Coghill moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

## CS FOR HOUSE BILL NO. 489(RLS)

"An Act relating to the treatment of charity events by the Alaska Public Offices Commission and under the law governing legislative ethics; and providing for an effective date."

There being no objection, it was so ordered.

Representative Coghill moved and asked unanimous consent that CSHB 489(RLS) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 489(RLS) was read the third time.

The question being: "Shall CSHB 489(RLS) pass the House?" The roll was taken with the following result:

CSHB 489(RLS)  
Third Reading  
Final Passage

**YEAS: 32 NAYS: 3 EXCUSED: 4 ABSENT: 1**

Yeas: Berkowitz, Chenault, Coghill, Crawford, Dahlstrom, Elkins, Foster, Gardner, Gatto, Gruenberg, Guttenberg, Harris, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, Meyer, Moses, Neuman, Olson, Ramras, Rokeberg, Samuels, Seaton, Stoltze, Thomas

Nays: Cissna, Croft, Gara

Excused: Anderson, McGuire, Salmon, Wilson

Absent: Weyhrauch

And so, CSHB 489(RLS) passed the House.

Representative Coghill moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 489(RLS) was referred to the Chief Clerk for engrossment.

### LEGISLATIVE CITATIONS

Representative Coghill moved and asked unanimous consent that the House approve the citations on the calendar. There being no objection, the following citations were approved and sent to enrolling:

In Memoriam - George Mohr

By Representatives Gruenberg, Anderson, Harris, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Thomas, Weyhrauch, Wilson; Senator Guess

In Memoriam - Mary Alice Jones

By Representatives LeDoux, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson; Senator Davis

In Memoriam - Stephen John Sutherland

By Representatives Coghill, Harris, Anderson, Berkowitz, Chenault, Cissna, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

In Memoriam - Margret Sullivan Pate

By Senator Stevens; Representatives Seaton, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Stoltze, Thomas, Weyhrauch, Wilson

In Memoriam - Nora Guinn, First Alaska Native Judge

By Senator Hoffman; Representatives Kapsner, Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kelly, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

In Memoriam - Frank Lewis Charles

By Senator Hoffman; Representatives Harris, Anderson, Berkowitz, Chenault, Cissna, Coghill, Crawford, Croft, Dahlstrom, Elkins, Foster, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Hawker, Holm, Joule, Kapsner, Kerttula, Kohring, Kott, LeDoux, Lynn, McGuire, Meyer, Neuman, Olson, Ramras, Rokeberg, Salmon, Samuels, Seaton, Stoltze, Thomas, Weyhrauch, Wilson

### **UNFINISHED BUSINESS**

Representative Coghill moved and asked unanimous consent that the following members be excused from a call of the House. There being no objection, the members were excused as noted:

Representative Berkowitz - from 1:00 p.m., March 15 to 10:00 p.m., March 18, 2006

Representative Croft - from 7:00 a.m., March 16 to 10:00 a.m., plane time, March 19, 2006

The Speaker announced that Representative Neuman will replace Representative Anderson on the Alaska Statehood Celebration Commission (Chapter No. 122, SLA 2004).

**HB 321**

Representative Kelly added his name as cosponsor to:

HOUSE BILL NO. 321

"An Act relating to high risk operation of a motor vehicle, aircraft, or watercraft while under the influence of an alcoholic beverage, inhalant, or controlled substance and to refusal to submit to a chemical test."

**HB 400**

Representative Croft added his name as cosponsor to:

HOUSE BILL NO. 400

"An Act relating to disasters and confiscation of firearms."

**HB 448**

Representative Lynn added his name as cosponsor to:

HOUSE BILL NO. 448

"An Act relating to special license plates for the Free and Accepted Masons."

**HB 478**

Representative Kerttula added her name as cosponsor to:

HOUSE BILL NO. 478

"An Act relating to the municipal harbor facility grant program; and providing for an effective date."

**ENGROSSMENT**

**HB 489**

CSHB 489(RLS) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

**ANNOUNCEMENTS**

House committee schedules are published daily under separate cover.

**ADJOURNMENT**

Representative Coghill moved and asked unanimous consent that the House adjourn until 10:00 a.m., March 17, 2006. There being no objection, the House adjourned at 10:47 a.m.

Suzi Lowell  
Chief Clerk